

# A class action Settlement involving vehicle bootings by Secure Parking Enforcement, LLC in Atlanta Georgia and Union City, Georgia may provide payments to those who qualify.

*A court authorized this Notice. This is not a solicitation from a lawyer.*

- There is a class action about whether Liotta v Secure Parking Enforcement, LLC (SPE) has unlawfully booted vehicles in Atlanta, Georgia and Union City, Georgia.
- You may be eligible for payment if you qualify and timely submit a valid Claim Form.
- Your legal rights are affected whether you act, or don't act. Read this Notice carefully.

YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT:	
SUBMIT A CLAIM FORM	The only way to get a payment if you qualify.
ASK TO BE EXCLUDED	Get no payment. The only option that may allow you to individually sue SPE over the claims resolved by this Settlement.
OBJECT	Write to the Court about why you don't agree with the Settlement. However, you will remain bound by the Settlement if it is approved.
GO TO A HEARING	Ask to speak in Court about the Settlement. However, you will remain bound by the Settlement if it is approved.
DO NOTHING	Get no payment. Give up rights.

- These rights and options—**and the deadlines to exercise them**—are explained in this Notice.
- The Court in charge of this case still has to decide whether to approve the Settlement. If it does, and after any appeals are resolved, money will be distributed to those who qualify. Please be patient.

## WHAT THIS NOTICE CONTAINS

### **BASIC INFORMATION.....PAGES 3**

1. Why was this Notice issued?
2. What is this lawsuit about?
3. What is booting?
4. Why is this a class action?
5. Why is there a Settlement?

### **WHO IS IN THE SETTLEMENT .....PAGES 3 - 4**

6. How do I know if I am part of the Settlement?
7. Are there exceptions to being included?
8. Understanding Class membership.
9. I'm still not sure I'm included.

### **THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY ..... PAGE 4-5**

10. What does the Settlement provide?
11. How do I qualify for a payment?
12. How much will payments be?

### **HOW TO GET A PAYMENT—SUBMITTING A CLAIM FORM ..... PAGE 5**

13. How can I get a payment?
14. When will I get my payment?
15. What am I giving up to get a payment or stay in the Class?

### **EXCLUDING YOURSELF FROM THE SETTLEMENT .....PAGES 6**

16. How do I get out of the Settlement?
17. If I don't exclude myself, can I sue Secure Parking Enforcement for the same thing later?
18. If I exclude myself, can I get a payment from this Settlement?

### **THE LAWYERS REPRESENTING YOU ..... PAGE 6**

19. Do I have a lawyer in this case?
20. How will the lawyers be paid?

### **OBJECTING TO THE SETTLEMENT .....PAGES 7**

21. How do I tell the Court if I don't agree with the Settlement?
22. What's the difference between objecting and asking to be excluded?

### **THE COURT'S SETTLEMENT FINAL APPROVAL HEARING ..... PAGES -8**

23. When and where will the Court decide whether to approve the Settlement?
24. Do I have to come to the hearing?
25. May I speak at the hearing?

### **IF YOU DO NOTHING ..... PAGE 8**

26. What happens if I do nothing at all?

### **GETTING MORE INFORMATION ..... PAGE 8**

27. How do I get more information about the Settlement?

## BASIC INFORMATION

### 1. Why was this Notice issued?

A Court authorized this Notice because you have a right to know about a proposed settlement that has been reached in a series of class action lawsuits wherein the Plaintiffs claim that Secure Parking Enforcement, LLC (“SPE”) unlawfully booted vehicles at parking lots in Atlanta and/or Union City, Georgia. The cases are *Liotta v. SPE*, Civil Action No. 16EV005868, *Jones v. SPE*, Civil Action No. 20EV001899 and *Jones v. FREP III Shannon Crossing, LLC and the Sembler Company v. SPE*, Civil Action No. 20EV001900, all in the State Court of Fulton County, Georgia. The cases have been consolidated for purposes of the Settlement.

### 2. What is this lawsuit about?

The lawsuit claims that Secure Parking Enforcement unlawfully booted vehicles from lots in Atlanta, Georgia and Union City, Georgia. SPE has maintained that it lawfully and properly booted vehicles and has denied all allegations that it acted wrongfully or unlawfully.

### 3. What is booting?

Booting is the method of attaching a device to a wheel or tire of a parked vehicle to prohibit the vehicle’s movement or operation. The device is also known as a “boot.”

### 4. Why is this a class action?

In a class action, one or more people called “Class Representatives” (in this case Matt Liotta and Corey Jones) sue on behalf of people who have similar claims. All these people comprise a “Class” or are “Class Members.” One court resolves the issues for all Class Members, except for those who exclude themselves from the Class.

### 5. Why is there a Settlement?

**The Court did not decide in favor of the Plaintiffs or SPE and has not found that SPE did anything wrong.** Instead, both sides agreed to settle. That way, they avoid the cost of a trial and potentially an appeal, and the people who qualify will get compensation. The Class Representatives and their attorneys think the Settlement is best for all Class Members. **The Settlement does not mean that SPE did anything wrong, no trial has occurred, and no merits determinations have been made.**

## WHO IS IN THE SETTLEMENT

To see if you are eligible for benefits from this Settlement, you first have to determine if you are a Class Member.

### 6. How do I know if I am part of the Settlement?

The Class includes everyone who owned a vehicle booted by SPE, was in possession of a vehicle booted by SPE or paid for a boot to be removed by SPE in Atlanta, Georgia and Union City, Georgia from December 21, 2011, to September 20, 2020 (the “Class Period”). Further information can be found at [www.BootClassAction.com](http://www.BootClassAction.com).

### 7. Are there exceptions to being included?

You are not included in the Settlement if you (1) exclude yourself from this case; (2) were not booted by SPE in Atlanta, Georgia or Union City, Georgia; or (3) had a vehicle booted by SPE

prior to December 21, 2011, to September 20, 2020. Additionally, SPE, and all present or former officers, directors, employees, partners, principals, shareholders and/or agents of SPE; any employees, officers, or directors of SPE’s insurers; members of the judiciary and their staff to whom these lawsuits are assigned; Class Counsel and their immediate family; SPE’s counsel of record and their immediate family; S PE’s insurers’ counsel and their immediate family; and all Persons who make a timely election to be excluded from the Settlement Class are not included in the Settlement.

**8. Understanding Class membership.**

This series of questions may also help you determine if you are a Class Member. Please answer all of the questions in order.

<b>Question</b>	<b>Yes</b>	<b>No</b>
Did you either 1) have a vehicle you were driving booted by SP E; 2) have a vehicle you owned booted by SPE; or 3) pay SPE to have a boot removed from a vehicle?	Continue	You are not a Class Member.
Did the booting occur between December 21, 2011, to September 20, 2020?	Continue	You are not a Class Member.
Was the address where the booting occurred in Atlanta, Georgia or Union City, Georgia?	You could be a Class Member.	You are not a Class Member.

**9. I’m still not sure I’m included.**

If you are not sure whether you are included in the Class, you should submit a Claim Form before February 16, 2023.

**THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY**

**10. What does the Settlement provide?**

The Settlement will pay to compensate eligible Class Members for SPE’s alleged unlawful booting of vehicles in Atlanta, Georgia and Union City, Georgia.

**11. How do I qualify for a payment?**

To qualify for a Claim Payment, you must have had your vehicle booted by SPE in Atlanta, Georgia and Union City, Georgia between from December 21, 2011, to September 20, 2020, or paid to have the boot removed from such a vehicle. You may qualify for a payment: if you were driving the vehicle that was booted even if you did not own it.

**12. How much will payments be?**

Payments to eligible Class Members will be no more than \$50.00 per claim and are subject to revision based on the amount of claims submitted. If the amount of claims submitted exceeds the Settlement fund, the award payment per claim will equal to the total number of submitted claims divided by Settlement fund.

## HOW TO GET A PAYMENT—SUBMITTING A CLAIM FORM

### 13. How can I get a payment?

To ask for a Claim Payment, you must complete and timely submit a Claim Form. You can file your claim online or download a Claim Form at [www.BootingClassAction.com](http://www.BootingClassAction.com). You will need to attach any documents that you have showing that: you owned or drove a vehicle that was booted by SPE; that you paid to have a boot removed by SPE; that the vehicle was booted in Atlanta, Georgia or Union City, Georgia; and that the booting took place between December 21, 2011, to September 20, 2020. See Section 3 of the Claim Form for more details on the required documentation. Please read the instructions carefully, fill out the Claim Form, and mail it postmarked no later than February 16, 2, to:

Secure Parking Enforcement  
Settlement Claims  
c/o Atticus Administration  
PO Box 64053  
Saint Paul, MN 55164

### 14. When will I get my payment?

The payments will be mailed to eligible Class Members who send in valid Claim Forms on time, after the Court grants “final approval” of the Settlement, any appeals are resolved, and the claims administration process described in Section VII of the Settlement Agreement is completed. If Judge Richardson approves the Settlement after a hearing on January 18, 2023 at 9:00 a.m. (see the section “The Court’s Settlement Final Approval Hearing” below), there may be appeals. It’s always uncertain whether these appeals can be resolved and resolving them can take time. Please be patient.

### 15. What am I giving up to get a payment or stay in the Class?

Unless you exclude yourself, you are staying in the Class, and that means that you cannot individually sue SPE over the claims settled in these cases. It also means all of the Court’s orders will apply to you and legally bind you. If you submit a Claim Form, or simply stay in the Class, you will agree to “release and discharge” SPE as described in Section XVII of the Settlement Agreement. A complete copy of the Settlement Agreement can be obtained at [www.BootingClassAction.com](http://www.BootingClassAction.com). The Settlement Agreement specifically describes the released claims in necessarily accurate legal terminology. Talk to Class Counsel (See the section on “The Lawyers Representing You”) or your own lawyer if you have questions about the released claims or what they mean.

## EXCLUDING YOURSELF FROM THE SETTLEMENT

If you don’t want a payment from this Settlement, but you want to keep the right to individually sue Secure Parking Enforcement about the issues in these cases, then you must take steps to get out. This is called excluding yourself from—or is sometimes referred to as “opting out” of the Settlement Class.

### 16. How do I get out of the Settlement?

To exclude yourself from the Settlement, you must send a letter by mail saying that you want to be excluded from *Liotta v Secure Parking Enforcement, LLC* Case No. 22EV000598. You must include the case number, your full name, address, telephone number, and your signature. You must

also include a clear statement that you wish to be excluded from the Settlement class. You must mail your request for exclusion postmarked no later than December 19, 2022, to:

Secure Parking Enforcement  
Settlement Claims  
c/o Atticus Administration  
PO Box 64053  
Saint Paul, MN 55164

You cannot exclude yourself on the phone, by email, or on the website.

17. If I don't exclude myself, can I sue Secure Parking Enforcement for the same thing later?

No. Unless you exclude yourself, you give up any right to individually sue SP E for the claims this Settlement resolves. You must exclude yourself from this Class to individually sue SPE over the claims resolved by this Settlement. Remember, the exclusion deadline is December 19, 2022.

18. If I exclude myself, can I get a payment from this Settlement?

No. If you exclude yourself, do not submit a Claim Form to ask for a payment.

## THE LAWYERS REPRESENTING YOU

19. Do I have a lawyer in this case?

The Court appointed the Wetherington Law Firm, P.C. to represent you and other Class Members as "Class Counsel." You do not have to pay Class Counsel. If you want to be represented by your own lawyer, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

20. How will the lawyers be paid?

Class Counsel will ask the Court for up to \$740,000 to cover attorneys' fees and reimbursement of their expenses. Class Counsel will also ask that \$7,500 be awarded to each of the Class Representatives, Matt Liotta and Corey Jones, for representing the Class. SP E has agreed not to oppose the request for fees and expenses up to the amount above. The Court may award less than this amount. These payments will not reduce the amount distributed to Class Members.

## OBJECTING TO THE SETTLEMENT

You can tell the Court if you don't agree with the Settlement or some part of it.

21. How do I tell the Court if I don't agree with the Settlement?

If you don't want the Court to approve the Settlement you must file a written objection in the case with the State Court of Fulton County, Georgia and send a copy to the Settlement Administrator as noted below. You must include the name of the case, *Liotta v Secure Parking Enforcement, LLC* Case No. 22ev000598, your full name, address, telephone number, your signature, the specific reasons why you object to the Settlement, and a statement as to whether you intend to appear at the Settlement Final Approval Hearing in person or through counsel. If you do intend to appear at the Settlement Final Approval Hearing to object to the Settlement, you must also provide with your written objection a detailed statement of the specific legal and factual basis for each objection, a list of any witnesses you will call at the hearing with each witness' address and summary of the witness' testimony, a detailed description of all evidence you will offer at the hearing with copies of the exhibits attached, a list of the legal authority you will present at the hearing, and

documentary proof of your membership in the Class. You or your lawyer may appear at the Settlement Final Approval Hearing if you have filed a written objection as provided above. (See the section on the “Court’s Settlement Final Approval Hearing” below). If you have a lawyer file an objection for you, he or she must follow all Georgia rules and you must list the attorney’s name, address, bar number and telephone number in the written objection filed with the Court.

File the objection with the Clerk of the Court at the address below by December 19, 2022. Note: You may send it by mail, but it must be received and filed by the Clerk by this date:	Mail a copy of the objection to the Settlement Administrator at the following address so that it is postmarked by December 19, 2022:
<b>Court</b>	<b>Settlement Administrator</b>
State Court of Fulton County 185 Central Avenue, SW Atlanta, Georgia 30303	Secure Parking Enforcement Settlement Claims c/o Atticus Administration PO Box 64053 Saint Paul, MN 55164

**22. What’s the difference between objecting and asking to be excluded?**

Objecting is simply telling the Court you don’t like something about the Settlement. You can object only if you stay in the Class. Excluding yourself is telling the Court that you do not want to be part of the Class. If you exclude yourself, you have no basis to object because the case no longer affects you. If you object, and the Court approves the Settlement anyway, you will still be legally bound by the result.

**THE COURT’S SETTLEMENT FINAL APPROVAL HEARING**

The Court will hold a hearing to decide whether to approve the Settlement. You may attend and you may ask to speak, but you don’t have to.

**23. When and where will the Court decide whether to approve the Settlement?**

The Court has scheduled a Settlement Final Approval Hearing at 9:00 a.m., on January 18, 2023, at the Fulton County Courthouse in Atlanta, Georgia. At this hearing, the Court will consider whether the Settlement is fair, reasonable, and adequate. If there are objections, the Court will consider them. Judge Richardson may listen to people who have asked to speak about an objection according to Question 22, above. The Court may also decide how much to award Class Counsel as fees for representing the Class and whether and how much to award the Class Representative for representing the Class. At or after the hearing, the Court will decide whether to approve the Settlement. It is not known how long this decision will take.

**24. Do I have to come to the hearing?**

If you filed a written objection, you or your lawyer acting on your behalf may attend the Settlement Final Approval Hearing, but you are not required to do so. Class Counsel will answer any questions Judge Richardson may have. But you are welcome to come at your own expense. You may also pay your own lawyer to attend, but it’s not necessary, unless you choose to have a lawyer appear on your behalf to object to the Settlement.

25. May I speak at the hearing?

If you submitted a proper written objection to the Settlement, you or your lawyer acting on your behalf may speak at the Settlement Final Approval Hearing. You cannot speak at the Hearing if you exclude yourself.

### **IF YOU DO NOTHING**

26. What happens if I do nothing at all?

If you do nothing, you'll get no payment from this Settlement. But, unless you exclude yourself, you won't be able to individually sue SPE for the claims resolved in this case.

### **GETTING MORE INFORMATION**

27. How do I get more information about the Settlement?

This Notice summarizes the proposed Settlement. More details are in the Settlement Agreement. If you have questions, visit [www.BootingClassAction.com](http://www.BootingClassAction.com). Do not contact the Court.